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MEMORANDUM FOR: Deputy Director (Administration) 26 January 53

SUBJECT : Charles P. Cabell

The nomination of General Cabell as Deputy Director will create two problems. The first arises out of a statutory provision that an Army Officer who accepts a civil office thereby relinquishes his commission. Fortunately there is a provision in our act (Section 6(c)) which combined with certain provisions of the Officer Personnel Act appear to allow for the exception to the usual rule. General Harman the Air Force JAG, Roger Jones, and myself tried to clear this. However, General Harman points out that General Cabell got his third star by virtue of being Director of the Joint Staff and the star stays with the position. Consequently, he would reflect to his permanent grade of Major General unless the Air Force were willing to release one of its regular three star slots for our Deputy position. Even if they have any such slot free, I think they would be very reluctant to release one to a non-Air Force position. Perhaps the President would order its release but we may be faced with the need for legislation we had drafted for the Deputy Director of Central Intelligence.

General Harman will call me on the 27th concerning the Air Force position in this regard.

LAWRENCE R. HOUSTON
Acting Deputy Director
(Administration)

LRH:djm

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